

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|---|-------------------|---------------------|
| Applicant: | Shaobing WU and Frank Bor-Her CHEN | Examiner: | not yet assigned |
| Serial No.: | 10/530,975 | Group Art Unit: | unknown |
| Filed: | March 15, 2005 | Confirmation No.: | unknown |
| Docket No.: | 160-P-1654USWO | | |
| Title: | SELF-CROSSLINKABLE WATERBORNE COATING COMPOSITION | | |

PETITION UNDER 37 C.F.R. §1.10(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above identified application (the “Application”) was filed using the USPS Express Mail service on March 15, 2005 and in accordance with the procedures in 37 C.F.R. §1.10. On March 21, 2005 the undersigned attorney’s firm received the return postcard shown in attached Exhibit A. The postcard was stamped to show receipt by the USPTO’s “Legal Staff International Division” on March 18, 2005. Contrary to normal USPTO practice, the postcard was not stamped to show receipt as of the Express Mail “date-in” date and was not stamped to indicate the Application serial number.

Because a filing receipt had not been (and still has not been) received from the USPTO, the undersigned attorney’s assistant attempted, via Private PAIR and phone calls to the USPTO, to determine the Application serial number and filing date. Initially no Private Pair records were available. The assistant was advised on May 6, 2005 by Ms. Terry Johnson Vessels of the USPTO’s Office of PCT Operations that the Application serial number was 10/530,975 and that it appeared that a March 18, 2005 filing date had been assigned to the Application. Ms. Johnson Vessels asked the assistant to call back in one week when the physical file would be available. The assistant called the following week on May 19th, 2005 and left a message for Ms. Johnson Vessels on her voicemail. The assistant called the

USPTO's PCT Help Desk on May 24, 2005 and was advised by Mr. Paul Bell to await receipt of an expected Notice of Missing Requirements (to require submission of a signed oath or declaration from the inventors) before requesting a correction in the recorded Application filing date. No such Notice has been received.

37 C.F.R. §10(c) permits a person filing correspondence under 37 C.F.R. §1.10 to petition the Commissioner to accord correspondence a filing date as of the USPS Express Mail "date-in" date, but requires that such a petition be filed "**promptly** after the person becomes aware that the Office has accorded, **or will accord**, a filing date other than the USPS deposit date". Private PAIR records (see attached Exhibit B) now show the Application serial number but still do not show a filing date. As a precaution and in the interest of full compliance with the boldface language quoted above, applicants are filing this Petition to request that the Application be accorded a March 15, 2005 filing date.

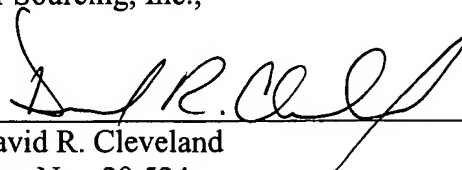
A true copy of the Express Mail mailing label showing the March 15, 2005 "date-in" date and any other official notations by the USPS relied upon to show the date of deposit is shown in attached Exhibit C. The number of the Express Mail mailing label was also placed on the Express Mail Transmittal Letter (see attached Exhibit D) and return postcard accompanying the Application.

If there are any questions regarding this petition, please contact the undersigned attorney.

Respectfully submitted on behalf of
Valspar Sourcing, Inc.,

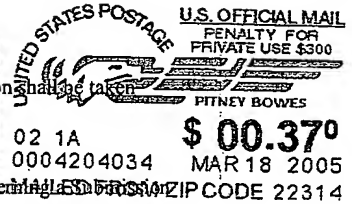
Date: August 3, 2005

By:



David R. Cleveland
Reg. No.: 29,524
IPLM Group, P.A.
Post Office Box 18455
Minneapolis, MN 55418
Telephone (612) 331-7412

The stamp of the U.S. Patent and Trademark Office is hereby taken
as acknowledging receipt on the date stamped on the
Return Postcard
Express Mail Transmittal Letter
Transmittal Letter to the U.S. Designated/Elected Office concerning the application
Under 36 USC 371 with 1 duplicate copy of fee sheet
Substitute Specification (27 pgs specification, 27 claims and 1 page Abstract) [33
pgs]
Unexecuted Combined Declaration and Power of Attorney
Information Disclosure Statement with attached PCT/US2003/29715 Search Report
PTO Form 1449
Application Data Sheet
in the application of Shaobing Wu et al., filed on Even Date Herewith for
SELF-CROSSLINKABLE WATERBORNE COATING COMPOSITION
DRC:lkg Docket No.: 160-P-1654USWO
Date: March 15, 2005
Express Mail No.: ED 240260242 US

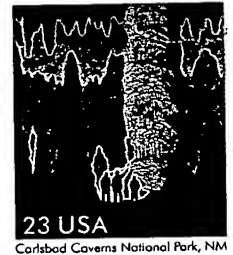


RECEIVED

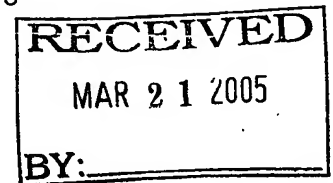
18 MAR 2005

Legal Staff
International Division

DL



IPLM Group, P.A.
Broadway Place West
Suite 6600
1300 Godward Street NE
Minneapolis, MN 55413

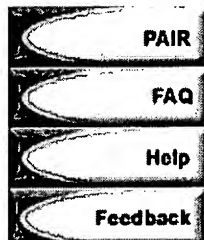
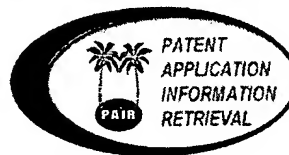




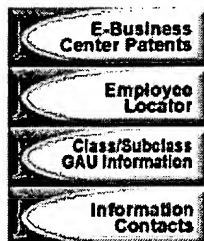
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PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Printer Friendly Version

Search results as of: 8-3-2005::11:27:19 E.T.

| Search results for application number:10/530,975 | | | |
|--|---|----------------------------|---|
| Application Number: | 10/530,975 | Customer Number: | 23322 |
| Filing or 371(c) Date: | - | Status: | Application Undergoing Preexam Processing |
| Application Type: | Utility | Status Date: | 04-20-2005 |
| Examiner Name: | - | Location: | PCT-CENTRAL FILES 703-921-1282 |
| Group Art Unit: | - | Location Date: | 05-13-2005 |
| Confirmation Number: | 2269 | Earliest Publication No: | - |
| Attorney Docket Number: | 160-P-1654USWO | Earliest Publication Date: | - |
| Class/ Sub-Class: | -/- | Patent Number: | - |
| First Named Inventor: | Shaobing Wu, | Issue Date of Patent: | - |
| Title Of Invention: | Self-crosslinkable waterborne coating composition | | |

Select Search Option

Continuity Data

Publication Review

| File History | |
|--------------|----------------------|
| Date | Contents Description |
| 04-15-2005 | Initial Exam Team nn |

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Exhibit B



ED 240260242 US



UNITED STATES POSTAL SERVICE®

Customer Copy

Label 11-B, March 2004

Post Office To Addressee

ORIGIN (POSTAL SERVICE USE ONLY)

| | | |
|--|--|----------------------------------|
| PO ZIP Code 55418 | Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day | Postage \$ 13.65 |
| Date Accepted 3-15-05 Mo. Day Year | Scheduled Date of Delivery Month 3 Day 16 | Return Receipt Fee \$ |
| Time Accepted 4:26 PM <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM | Scheduled Time of Delivery <input type="checkbox"/> Noon <input type="checkbox"/> 3 PM | COD Fee \$ |
| Flat Rate <input type="checkbox"/> or Weight lbs. 10 ozs. | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Insurance Fee \$ |
| | Int'l Alpha Country Code | Total Postage & Fees \$ 13.65 |
| | | Acceptance Emp. Initials Kew |

FROM: (PLEASE PRINT) PHONE (612) 331-7490

IPLM Group, P.A.
Broadway Place West, Suite 6600
1300 Godward Street, NE
Minneapolis, MN 55413

160-P-1654USWO

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Visit www.usps.com

Call 1-800-222-1811



DELIVERY (POSTAL USE ONLY)

| | | |
|------------------|--|--------------------|
| Delivery Attempt | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Delivery Attempt | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Delivery Date | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |
| Mo. Day | <input type="checkbox"/> AM <input type="checkbox"/> PM | Employee Signature |

CUSTOMER USE ONLY

| | |
|--|---|
| PAYMENT BY ACCOUNT Express Mail Corporate Acct. No. | <input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is void if customer requests waiver of signature. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery. |
| Federal Agency Acct. No. or Postal Service Acct. No. | |
| <input type="checkbox"/> NO DELIVERY Weekend <input type="checkbox"/> Holiday | Mailer Signature |

TO: (PLEASE PRINT) PHONE ()

Mail Stop: PCT
Attn: Office of PCT Legal Admin.
Commissioner for Patents
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Alexandria, VA 22313-1450

ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)

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FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.

| |
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| |
|--|

EASTSIDE STATION
MINNEAPOLIS, Minnesota
554189998

2663650418-0098
03/15/2005 (800)275-8777 04:27:50 PM

| Sales Receipt | | | |
|---------------|------|-------|-------|
| Product | Sale | Unit | Final |
| Description | Qty | Price | Price |

| | | |
|-----------------------------|--|----------|
| ALEXANDRIA VA 22313 EM | | \$13.65 |
| PD-Add Flat Rate | | |
| Serial Number ED240260242US | | |
| Next Day Noon / Normal | | |
| Delivery | | |
| Customer Postage | | -\$13.65 |
| Subtotal: | | \$0.00 |

Total: \$0.00

Paid by:

Bill#: 1000202327473
Clerk: 29

— All sales final on stamps and postage. —
Refunds for guaranteed services only.
Thank you for your business.
Customer Copy

Exhibit C

EXPRESS MAIL

UNITED STATES POSTAL SERVICE®

EV57760466405

10/530820

HOLLYWOOD
APR-8'05
FLA

PB METER
8368232

13.65
U.S. POSTAGE

11604664US
ORIGIN (POSTAL SERVICE) 116
PO ZIP Code



UNITED STATES EXPRESS MAIL

Addressee C

Label 11-F, April 2004

DELIVERY (POSTAL USE ONLY) **POST OFFICE TO ADDRESSEE**

| | | | |
|------------------|-----|------|--------------------|
| Mo. | Day | Time | Employee Signature |
| Delivery Attempt | | | |

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PHONE ()

10: (PLEASE PRINT)

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